

TITLE 170 INDIANA UTILITY REGULATORY COMMISSION

170 IAC 5-3

Proposed Rule

LSA Document #20-____

DIGEST

Amends 170 IAC 5-3-0.5, 70 IAC 5-3-0.6, 170 IAC 5-3-1, 170 IAC 5-3-2, 170 IAC 5-3-3, 170 IAC 5-3-4, and 170 IAC 5-3-5 to make various updates, incorporate new federal regulations through April 1, 2019, specify application of federal regulations to farm taps, to prohibit flexible risers, to require pressure relief on low pressure stations, and to require filing of uprate plans with the Division.

IEA members expressed why flex risers will not be allowed. Currently of those in attendance Vectren & Sycamore utilize flex risers.

IURC Response:

Ensure immobility and protection from outside damage. Weed whips, lawn mowers, support from sagging meter sets, (not solely using the customer fuel line as support), etc.

Adds 170 IAC 5-3-2.1, 170 IAC 5-3-2.2, and 170 IAC 5-3-2.3, 170 IAC 5-3-2.4, 170 IAC 5-3-2.5; 170 IAC 5-3-2.6, and 170 IAC 5-3-4.1 to require system maps, records for pre-tested pipe, records of instrument calibration, specify the establishment of MAOP on distribution systems, clarify this rule's application to farm taps, to require specified information in construction packets, and to provide guidelines as to enforcement of violations.

Effective 30 days after filing with the Publisher.

170 IAC 5-3-0.5 Definitions

170 IAC 5-3-0.6 Incorporation of United States Department of Transportation gas pipeline safety regulations

170 IAC 5-3-1 Federal and other standards; compliance; general provisions

170 IAC 5-3-2 Federal regulations; revision

170 IAC 5-3-2.1 Maps and Records

170 IAC 5-3-2.2 Calibration of instruments

170 IAC 5-3-2.3 Pre-tested Pipe

170 IAC 5-3-2.4 Farm Taps

170 IAC 5-3-2.5 Construction Packets

170 IAC 5-3-2.6 Establishment of MAOP on Distribution System

170 IAC 5-3-3 Acquisition of pipe or components to determine cause of failure

170 IAC 5-3-4 Reports to the division

170 IAC 5-3-4.1 Enforcement of Violations

170 IAC 5-3-5 Waiver of compliance; application; investigation

DRAFT

Rule 3. Minimum Safety Standards for the Transportation of Gas, Hazardous Liquids, Carbon Dioxide Fluids, and Related Pipeline Facilities

SECTION 1. 170 IAC 5-3-0.5 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-0.5 Definitions

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 0.5. (a) Terms used in this rule, unless otherwise provided, have the meanings set forth in the following:

(1) 49 CFR Parts 191, 192, 193, and 195.

(2) IC 8-1-22.5.

(b) The following definitions apply throughout this rule:

(1) "Abnormal operation" means any of the following:

(A) An unintended closure of valves or shutdowns.

(B) An increase or decrease in pressure or flow rate outside normal operating limits.

(C) A loss of communications.

(D) The operation of a safety device.

(E) Another foreseeable malfunction of a component, deviation from normal operation, or personnel error that may result in a hazard to persons or property.

(2) "Accident" means a failure in a hazardous liquids pipeline system **for which an accident report is required under** ~~that has at least one (1) of the results listed in 49 CFR 195.50. requiring an accident report.~~

(3) "Commission" means the Indiana utility regulatory commission.

(4) "Division" means the pipeline safety division of the commission.

~~(5) "Division engineer" means an engineer on the staff of the division.~~

~~(6)~~(5) "Incident" means an event that:

(A) involves a release of gas from a pipeline or of liquefied natural gas or gas from an LNG facility and:

(i) a death, or personal injury necessitating inpatient hospitalization;

- (ii) estimated property damage, ~~including~~**excluding** cost of gas lost, of the operator or others, or both, of fifty thousand dollars (\$50,000) or more; or
- (iii) unintentional estimated gas loss of three million (3,000,000) cubic feet or more;

(B) results in an emergency shutdown of an LNG facility; or

(C) is significant, in the judgment of the operator, even though it did not meet the criteria of clause (A) or (B).

~~(7)(6)~~ "Jurisdictional" means an operator owned facility that ends at the outlet of the customer meter or at the connection to a customer's piping, whichever is further downstream, or at the connection to customer piping if there is no meter.

~~(8)(7)~~ "Operator" means a person or entity that operates intrastate pipeline facilities in the state of Indiana in which at least one (1) of the following are transported **for sale, commercial use, or use by another person:**

(A) Natural or other hazardous flammable gas.

(B) Hazardous liquids.

(C) Carbon dioxide fluids.

(Indiana Utility Regulatory Commission; 170 IAC 5-3-0.5; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA0)

SECTION 2. 170 IAC 5-3-0.6 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-0.6 Incorporation of United States Department of Transportation gas pipeline safety regulations

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 0.6. The commission hereby **incorporates in this rule**~~adopts~~ the gas pipeline safety regulations of the United States Department of Transportation contained in 49 CFR Parts 40, 191, 192, 193, 194, 195, 198, and 199, as of ~~June 1, 2017~~**December 31, 2019**, as ~~augmented~~**revised** by the ~~Indiana specific regulations found in~~ section 2 of this rule. *(Indiana Utility Regulatory Commission; 170 IAC 5-3-0.6; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA; filed Sep 20, 2018, 3:04 p.m.: 20181017-IR-170170448FRA)*

SECTION 3. 170 IAC 5-3-1 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-1 Federal and other standards; compliance; general provisions

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 1. (a) ~~In accordance with IC 8-1-22.5,~~An operator shall do the following:

(1) Comply with the gas pipeline safety regulations incorporated in section 0.6 of this rule, as ~~those regulations are~~**revised** by this rule.

(2) Construct, operate, and maintain its facilities in accordance with ~~federal safety standards applicable;~~**the gas pipeline safety regulations incorporated in section 0.6 of this rule, as revised by this rule.**

(A) ~~to the transportation of:~~

~~(i) natural and other gas;~~
~~(ii) hazardous liquids; or~~
~~(iii) carbon dioxide fluids; and~~
~~(B) for pipeline facilities used in this transportation;~~
~~established and in effect, from time to time, pursuant to the Natural Gas Pipeline Safety~~
~~Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979, as amended, with the~~
~~supplements contained in this rule.~~

~~(2)~~**(3)** Comply with all other:

(A) codes;
(B) standards; or
(C) regulations;
contained in this rule.

~~(3)~~**(4)** Be governed, after due notice, by all:

(A) deletions;
(B) additions;
(C) revisions; or
(D) amendments;

thereof.

~~(b)~~**(5)** ~~Records shall be made documenting~~**Document** all:

~~(1)~~**(A)** plan reviews and updates;
~~(2)~~**(B)** surveys;
~~(3)~~**(C)** inspections; and
~~(4)~~**(D)** repairs made.

~~(b)~~ **All** Records required to document compliance with this rule shall be preserved in accordance with federal law or a minimum of five (5) years, whichever is longer. ~~The~~ Records shall be **readily made** available within the state of Indiana, at the office or offices of the operator located in the territory served by the office and shall be open for examination by the commission or its representatives upon request. The provisions of this subsection shall not be construed so as to lessen or increase the period of maintenance of records as specifically provided by law.

(Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 1; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 537; filed May 7, 1982, 2:00 p.m.: 5 IR 1175; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA)

SECTION 4. 170 IAC 5-3-2 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-2 Federal regulations; revision

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2. **(a)** Indiana specific revisions to **certain** federal regulations ~~49 CFR, Part 192 and Part 195 are as follows:~~**incorporated in section 0.6 of this rule are as set forth in this section.**

(b) 49 CFR 192.201(c) (Required capacity of pressure relieving and limiting stations) is revised to read as follows:

“(c) Relief valves must be installed at or near each regulator station in a low-pressure distribution system, with a capacity to limit the maximum pressure in the main to a pressure that will not exceed the safe operating pressure for any connected and properly adjusted gas utilization equipment.”

Final Proposed Language:

(c) Relief valves or automatic shutoff devices must be installed at or near each regulator station in a low-pressure distribution system, with the ability to limit the maximum pressure in the main to a pressure that will not exceed the safe operating pressure for any connected and properly adjusted gas utilization equipment.

IEA: Does this apply to monitor/regulator meter sets as well? A few operators have these type of meter sets inside customer buildings, parking garages, etc.

IURC Response:

Meter sets are not included with the installation of RV's under this proposed rule.

IEA: Can this requirement be “Grandfathered,” can it apply to only new installations moving forward?

IURC Response:

Regular stations will not be grandfathered. The installation of Relief Valves for inches water column delivery systems (Low Pressure), will need to be installed no later than one year after the effective date of the rule. Operators are required to submit a project plan within 6 months of the effective date, including the number of stations affected and how long the process is proposed to take.

Operators who cannot meet this deadline must submit a proposal in writing to the commission under 170 IAC 5-3-5.

Other provisions toward the installation of installing Relief Valves at every inches water column station are provided below.

IEA: Can/Does a slam shut device provide the same protection as what we are trying to achieve, which is to alert the operator there is an AOC?

IURC Response:

If a slam shut device is installed on an inches water column system, and it notifies the operator of an AOC, and will not over-pressurize the system, then it does apply.

If a slam shut device is installed on an inches water column system, and it does not notify the operator of an AOC, and the operator is willing to lose the gas system, then slam shut devices are adequate.

The goal is to ensure that inches water column systems are never over-pressurized.

If a regulator station is equipped with a telemetering device sufficient in achieving the same notification to operators without installing the RV's as mentioned in the code?

IURC Response:

If the inches water column system station is equipped with telemetering device monitored 24/7, seven days per week, and notifies the operator of an AOC, and is also equipped with remote control valves to shut the system down, then Relief Valves would not apply.

(c) 49 CFR 192.201 is augmented to include an additional paragraph “(a)(2)(iv) to read as follows:

“(a)(2)(iv) At a minimum have a device installed that would notify the operator or the public of a malfunction.”

(b) (c) 49 CFR 192.605 and 49 CFR 195.402 (Procedural manual for operations, maintenance, and emergencies) (49 CFR 192.605 and 49 CFR 195.402) shall read as follows: (a) (1) is augmented to include an additional paragraph “(f)” as follows:

(A) Each operator shall do the following:

(1) Have a written plan covering the:

(A) emergency;

(B) operations; and

(C) maintenance;

procedures to be used by the operator to

“(f) the written manual required by paragraph (a) of this section,

referred to as the plan in this subsection, shall ensure the safe operation of its the operator’s pipeline facilities. The plan shall

include, by sections, the emergency, operations, and maintenance

procedures for all the pipeline facilities and shall include procedures for

handling abnormal operations. This plan, when filed, becomes a

regulation for the particular operator who filed it. **In addition, an**

operator shall:

(2)(1) file submit a copy of the plan, signed or submitted

electronically by an official of the operator, with to the division.

(3)(2) Keep records necessary to administer the plan effectively.

(4)(3) Revise the plan as:

(A) experience dictates; and

(B) exposure of the facilities and changes in operating conditions might warrant.

(5)(4) File with Submit to the division all subsequent revisions of the plan not later than twenty (20) days after the effective date of the changes. Minor revisions may be made in a cover letter.”

(2)(d) 49 CFR 192.357 (Customer Meters and Regulators: Installation) (49 CFR 192.357). In addition to the language contained in 49 CFR 192.553, paragraph (e) shall be adopted in Indiana and is augmented to include an additional paragraph “(e)” as follows:

“(e) An operator may not initiate or reinstate gas service without first ascertaining that:

(1) the meter and regulator are:

- (A) properly sized and installed for their intended use;
- (B) pressure tight at the operating pressure; and
- (C) protected from reasonably anticipated outside forces, including, but not limited to, reasonably anticipated:
 - (i) vehicular impact; and
 - (ii) natural forces, including, but not limited to:
 - (AA) ice;
 - (BB) water runoff; and
 - (CC) snow; and

(2) for residential customers, the piping from the meter to the customer's appliance valves is pressure tight at the operating pressure.”

~~(3)(e) 49 CFR 192.365(b) (Service Lines; Location of Valves) (49 CFR 192.365). In addition to the language contained in 49 CFR 192.365 paragraphs (a) and (c), in Indiana, paragraph (b) shall~~ **is revised to read as follows:**

“(b) Each service line must have a shutoff valve in a readily accessible location that is outside of the building.”

Final Proposed Language:

(b) Each service line must have a shutoff valve in a readily accessible location is outside of the building. Including, but not limited to:

- (A) Outside meter valves*
- (B) Curb valves*

~~(4)(f) 49 CFR 192.373(a) (Service Lines: Cast Iron and Ductile Iron) (49 CFR 192.373). In addition to the language contained in 49 CFR 192.373 paragraphs (b) and (c), in Indiana, paragraph (a) shall~~ **is revised to read as follows:**

(a) Cast or ductile iron pipe shall not be installed for service lines.

(g) 49 CFR 192.375(a) (Installation of Plastic Pipe) is revised to read as follows:

“(a) This provision takes effect after July 1, 2020. Each plastic service line outside a building must be installed below ground level, except that it may be installed in accordance with § 192.321(g). For the avoidance of doubt, this provision prohibits non-rigid risers for permanent installation in Indiana.”

Final Proposed Language for use of flex risers which was offered and agreed to in principle:

(a) This provision takes effect after July 1, 2020. Each plastic service line outside a building must be installed below ground level, except that it may be installed in accordance with § 192.321(g). Each flexible service line riser assembly must include a foundation riser bracket or remote bracket mounted to an accessory post such that the riser assembly is supported independently of the meter set and house piping. The riser casing must also be designed to withstand damage from lawn mowers, weed eaters, hedge trimmers, and other possible sources of external damage.

~~(5)(h) 49 CFR 192.503 (Test Requirements – General). (49 CFR 192.503) In addition to the language contained in 49 CFR 192.503 paragraphs (b), (c), and (d), in Indiana, paragraphs (a) and (e) shall~~ **are revised to read as follows:**

“(a) No person may operate a new segment of pipeline, or return to service a segment of pipeline that has been relocated, replaced, or has been abandoned previously, until:

(1) it has been tested in accordance with this subpart and 49 CFR 192.619 to substantiate the maximum allowable operating pressure; and

(2) each potentially hazardous leak has been located and eliminated.

...

(e) No testing, by a medium other than natural gas under this subpart, may be done against a valve on a jurisdictional part of the system that is connected by the valve to a source of gas, unless a positive suitable means has been provided to prevent the leakage or admission of the testing medium into a jurisdictional part of the system. **When performing a pressure test, the operator shall use a calibrated tool or chart.”**

~~(6)(i) 49 CFR 192.509(b)~~ (Test Requirements for Pipelines to Operate at or below 100 psig) ~~(49 CFR 192.509)~~. In addition to the language contained in 49 CFR 192.509 paragraph (a), ~~in Indiana, paragraph (b) shall~~ **is revised to** read as follows:

“(b) Each main that is to be operated at less than one (1) psig must be tested to at least ten (10) psig, and each main to be operated at or above one (1) psig must be tested to one hundred fifty percent (150%) of the maximum operating pressure or at least ninety (90) psig, whichever is greater.

(c) Distribution pipelines tested to comply with this rule must be tested to meet at least the durations specified in the Gas Piping Technology Committee guidelines under section 192.509 and 192.513, for the applicable pipeline material, size, and lengths.

~~(7)(j) 49 CFR 192.511~~ (Test Requirements for Service Lines) ~~(49 CFR 192.511)~~. In addition to the language contained in 49 CFR 192.511 paragraph (a), ~~in Indiana, paragraphs (b) and (c) shall~~ **are revised to** read as follows:

“(b) Each segment of a service line (other than plastic) stressed under twenty percent (20%) SMYS must be tested at one hundred fifty percent (150%) of the maximum operating pressure or at least to ninety (90) psig, whichever is greater. The test procedure used must ensure discovery of all potentially hazardous leaks in the segment being tested.

(c) Each segment of a service line (other than plastic) stressed to twenty percent (20%) or more of SMYS must be tested in accordance with Section 192.505 or 192.507, whichever is applicable, of this subpart.”

(k) 49 CFR 192.553(c) (Subpart K - Uprating; General Requirements) is revised to read as follows:

IEA: So do we submit a plan, wait for approval and then we can begin. Some asked, if we submit within the time frame do we have to wait on PS approval before beginning?

IURC Response:

We do NOT approve plans, but we do want to review them. If we have issues, questions or concerns we will be in contact.

Again we only want to be informed of uprates and request a “brief summary” of the project. A submitted plan will be REVIEWED ONLY and projects can commence without input from the Division.

“(c) Written plan. Each operator who uprates a segment of pipeline shall establish a written procedure that will ensure that each applicable requirement of this subpart is complied with. An operator shall submit a copy of its written uprate plan to the division at least thirty (30) days before work commences under the plan, and submit to the division all subsequent revisions of the plan prior to performing work under those provisions. The operator shall submit to the Division a cover letter summarizing the revisions”

~~(8)(l) 49 CFR 192.553 (Subpart K - Uprating; General Requirements) (49 CFR 192.553).~~
~~In addition to the language contained in 49 CFR 192.553, paragraph (e) shall be adopted in Indiana and shall read~~ **is augmented to include an additional paragraph “(e)” as follows:**

“(e) Service regulators supplying gas from transmission lines or distribution mains that are being uprated under this subpart shall meet the requirements of Section 192.197.”

~~(9)(m) 49 CFR 192.557(b)(5) (Uprating: Steel Pipelines to a Pressure That Will Produce a Hoop Stress less than 30 Percent of SMYS; Plastic, Cast Iron and Ductile Iron Pipelines) shall~~ **is revised to read as follows:**

“(b)(5) Isolate by physical separation all mains between the segment of pipeline in which the pressure is to be increased from an adjacent segment that will continue to be operated at the lower pressure, except the mains that are required to supply through a pressure regulator (with approved overpressure protection designed in accordance with Section 192.195), the adjacent segment that will continue to be operated at the lower pressure; and”

Final Proposed Language:

(c) After complying with paragraph (b) of this section, the increase in maximum allowable operating pressure must be made in increments that are equal to 10 p.s.i. (69 kPa) gage or 25 percent of the total pressure increase, whichever produces the fewer number of increments. The highest pressure at which the pipeline is surveyed is the newly established MAOP. Whenever the requirements of paragraph (b)(6) of this section apply, there must be at least two approximately equal incremental increases.

~~(10) (Subpart L—Operations; General Provisions) (49 CFR 192.603, 49 CFR 195). In addition to the language contained in 49 CFR 192.603 paragraphs (a) and (b), in Indiana paragraph (c) shall read as follows:~~

~~“(c) Each operator shall maintain a system of records of its physical plant. These shall include records and maps of its active physical plant in use, and be in a form as to facilitate the operation and maintenance of the plant in a safe manner. The records shall be reviewed, with documentation, and updated, with documentation, when an addition, deletion, or change of the system occurs each calendar year at intervals not exceeding fifteen (15) months. Included on the maps shall be:~~

- ~~(1) main;~~
- ~~(2) sizes;~~

- ~~(3) materials;~~
- ~~(4) pressure ranges; and~~
- ~~(5) location of:~~
 - ~~(A) mains emergency valves;~~
 - ~~(B) regulator stations;~~
 - ~~(C) rectifiers; and~~
 - ~~(D) critical bonds.”~~

~~(11)(n) 49 CFR 192.615 (Emergency Plans) (49 CFR 192.615). In addition to the language contained in 49 CFR 192.615, paragraph (d) shall be adopted in Indiana and shall read is augmented to include an additional paragraph “(d)” reading as follows:~~

~~“(d) Each operator shall ~~early~~ publish a listing in the current telephone directory of each community that it serves or within which it operates on a conspicuous location on its publicly available website whereby a responsible employee or agent of the operator may be reached on a twenty-four (24) hour basis.”~~

~~(12)(o) 49 CFR 192.723 (Distribution Systems: Leakage Surveys and Procedures) (49 CFR 192.723). In addition to the language contained in 49 CFR 192.723 paragraph (a), (1), (b)(2), (b)(3), (c), (c)(1), (c)(2), and (d) shall be adopted and shall be revised to read as follows:~~

~~“(a) Each operator of a distribution system shall conduct periodic leakage surveys in accordance with this section.~~

~~(b)(1) A leak survey using gas detection equipment shall be conducted in:~~

- ~~(1) business districts;~~
- ~~(2) areas of high occupancy buildings as identified in the operator's operations and maintenance procedures, including, but not limited to:~~
 - ~~(A) schools;~~
 - ~~(B) churches;~~
 - ~~(C) hospitals;~~
 - ~~(D) apartment buildings; and~~
 - ~~(E) commercial buildings including commercial box style warehouse stores;~~
 - ~~(F) strip malls;~~
 - ~~(G) day care centers;~~
 - ~~(H) nursing homes;~~
 - ~~(I) assisted living centers; and~~
 - ~~(J) identified sites in the operator's plan~~
- ~~(3) built-up residential areas where continuous pavement exists; and~~
- ~~(4) other areas as the commission may direct; once each calendar year at intervals not exceeding fifteen (15) months. The surveys in business districts and areas of high occupancy buildings, listed in subdivisions (1) and (2), shall be made at least to the meter outlet. Tests shall include tests of the atmosphere in utility manholes, at cracks in the pavement and sidewalks and other locations providing an opportunity for~~

finding gas leakage.

~~(b)(2)~~(c) Leakage surveys of the distribution system outside of the areas as listed in (b)(1) must be made as frequently as necessary but at least once every five (5) years at intervals not to exceed sixty-three (63) months. A vegetation type survey shall not be used as a single means of leakage control.

~~(b)(3)~~(d) Each operator shall establish and execute a plan by which it will periodically survey each customer-owned service line for leakage once every five (5) calendar years at intervals not to exceed sixty-three (63) months. For purposes of this section, the term "customer-owned service" shall mean buried metallic gas carrying piping that is between the outlet of the meter and the entry of the building wall of a residential dwelling. The term does not include the following:

- (1) Farm taps.
- (2) Services directly off mains that have an operating pressure of greater than sixty (60) psig.
- (3) Diversions to structures other than the residential dwelling located on the premises.
- (4) Services with meter settings adjacent to the structure being served.

~~(e)~~(e) All leaks reported, regardless of the origin of the reports, shall be recorded on suitable report forms. These report forms must provide space for all pertinent information. Each leak reported shall be accounted for, and actions taken in response to leaks shall be documented and filed in a systematic manner.

~~(e)~~(1) All leaks reported shall be investigated promptly and classified in accordance with procedures outlined in the operator's operations and maintenance plan. The procedures shall include acceptable response times and shall ensure that gas leakage that is hazardous to life or property shall receive immediate attention for repairs.

~~(e)~~(2) Leak indications where repairs are not completed shall be rechecked on subsequent surveys, depending on the operator's classification and in accordance with the operator's procedures.

~~(d)~~(f) **An operator shall** ~~Records shall be made covering these~~ document surveys, inspections, and repairs made. These records, along with all other routine or unusual inspections and repairs, shall be kept in the file of the operating company."

(p) 49 CFR 192.740(a) (Pressure regulating, limiting, and overpressure protection- Individual service lines directly connected to production, gathering, or transmission pipelines) is revised to read as follows:

"(a) This section applies, except as provided in paragraph (c) of this section, to any service line directly connected to a production, gathering, or transmission pipeline that serves three (3) or more customers."

(q) 49 CFR 192.1003 (What do the regulations in this subpart cover?) is

revised to read as follows:

“(a) General. Unless exempted in paragraph (b) of this section this subpart prescribes minimum requirements for an IM program for any gas distribution pipeline covered under this part, including liquefied petroleum gas systems. A gas distribution operator, other than a master meter operator or a small LPG operator, must follow the requirements in §§ 192.1005 through 192.1013 of this subpart. A master meter operator or small LPG operator of a gas distribution pipeline must follow the requirements in § 192.1015 of this subpart.

(Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 2; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 537; filed May 7, 1982, 2:00 p.m.: 5 IR 1176; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA)

SECTION 5. 170 IAC 5-3-2.1 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.1 Maps and Records

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.1(a) An operator shall maintain a system of records of its physical plant.

These shall include records and maps of its active physical plant in use, and be in a form as to facilitate the operation and maintenance of the plant in a safe manner. Included on the maps and records shall be the information and location, if applicable, regarding:

- (1) mains;**
- (2) services;**
- (3) sizes;**
- (4) materials;**
- (5) pressure ranges; and**
- (6) mains emergency valves;**
- (7) regulator stations;**
- (8) rectifiers;**
- (9) farm taps; and**
- (10) critical bonds.**

(b) An operator shall review its maps and records each calendar year at intervals not exceeding fifteen (15) months.

(c) An operator shall document its annual review and document when an addition, deletion, or change of the system occurs.

Allow two separate maintenance plans (b) & (c) stay for those not using GIS. Final proposed language for those using GIS instead of (b) & (c):

An operator shall provide documentation of electronic updates that occur within their Geographic Information System, GIS.

(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.1)

SECTION 6. 170 IAC 5-3-2.2 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.2 Calibration of instruments

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.2. (a) An instrument or tool, the use of which is necessary to comply with this rule, shall be calibrated according to the manufacturer's specifications and at intervals recommended by the manufacturer.

(b) Records of instrument calibration shall include the instrument serial number or unique identifier, date of calibration, the name and signature of the individual or third party vendor performing the calibration, the process and calibration standard used for the calibration, as-found and as-left data, and the due date for the next calibration.

(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.2)

SECTION 7. 170 IAC 5-3-2.3 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.3 Pre-tested Pipe

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.3. When an operator installs a pipeline that was previously pressure tested, a written record of the previous pressure test for each pipe section must be available or the operator must pressure test the pipeline after installation prior to being energized according to 49 CFR 192 subpart J by another method allowed by this rule.

(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.3)

SECTION 8. 170 IAC 5-3-2.4 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.4 Farm Taps

IEA: Confusing with respect to the federal rule on farm taps. IEA proposed adding the word "Interstate" to clear up the issue. CFR 192.740 was brought into the discussion and how it applies to 170 rule.

IURC Response:

The word "Interstate" has been added.

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.4. (a) For purposes of this section, "farm tap" means a service line directly connected to a production, gathering, or **Interstate transmission pipeline.**

(b) An operator shall operate a farm tap as with any other part of the operator's distribution system. By way of example, farm taps shall be:

- (1) odorized in compliance with this rule;**
- (2) subject to MAOP requirements in this rule;**
- (3) located by the operator when a request to the one-call program in Indiana;**
- (4) included in the operator's maps and records;**

(5) required to have cathodic protection and protected from vehicular traffic in compliance with this rule; and

(6) included in an operator's distribution integrity management plan.

(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.4)

SECTION 9. 170 IAC 5-3-2.5 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.5 Construction Packets ..

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.5. At a construction site, the operator shall maintain on site or have access to the following documentation and provide it to the Division upon request:

IEA members had many questions regarding the items 1-11.

Consider adding verbiage such as: This applies to newly installed and replacement projects as facilities are placed in service.

(1) Maps or drawing of the project;

(2) A description of the type, size, and length of pipe and appurtenances to be used for the installation;

(3) Information sufficient to establish that the operator or its contractor appropriately notified Indiana 811 of the construction;

(4) As built drawings of the construction project; **IURC Response:** *Add: for any section of facilities placed in service.*

(5) **Installation** Location of valves; **IURC Response:** *Drawing with measurements, type of valve, manufacture information, pertinent information of newly installed and replacement facilities shall be retained for the life of the facility.*

(6) Work orders relevant to the construction, if any;

(7) Name of contractors and subcontractors, if any;

(8) Requirements and records for proposed and actual pressure tests, including MAOP requirements;

(10) Cathodic protection records as described in 49 CFR 192.1007; *IEA: Line 10 was confusing as written. What do we expect? According to .1007 it deals with "Knowledge" of system and gaining additional knowledge per .1007.*

IURC Response:

49 CFR 192.1007 Excerpts: An operator must demonstrate an understanding of its gas distribution system developed from reasonably available information. Include in construction packets company forms for capturing cathodic protection readings, establishment of new test stations, coating conditions, as well as additional information as it applies to proper cathodic protection. Also include company forms for identifying additional information needed of the operators distribution system and provide a plan for gaining that information over time through normal activities conducted on the pipeline (Example, design, construction, operations and maintenance activities).

(11) IURC Response:

Will add the requirement to possess a valid IN 811 locate ticket of construction and a description of work per location. (access, copies, digital)

(11) Other information relevant to the construction.

IURC Response:

Will add that transmission related construction projects must follow the operators TIMP plan and have supporting documentation on-site for the crew to follow and understand fully the requirements of such projects.

Need to re-number each item above

Final Proposed Language:

Sec. 2.5. At a construction site (as defined in IAC 5-3-4(E)(4)) the operator shall maintain on site or have access to the following documentation and provide it to the Division upon request.

- (1) Maps or drawings of the project, including both existing and proposed facility information;*
- (2) Information regarding: type, size, and length of pipe and appurtenances to be used for the installation;*
- (3) As built drawings of the construction project for any section of facilities placed in service or facilities installed.*
- (4) Installation location of valves and pertinent information to include but not be limited to;*
 - (a) Drawing with measurements*
 - (b) Type of valve*
 - (c) Manufacture of valve*
- (5) Construction scope of work may include;*
 - (a) Project overview – Brief statement describing purpose of the project.*
 - (b) Project timeline – anticipated duration of the project, including proposed start date, if known.*
- (6) Requirements and records for proposed and actual pressure tests, including MAOP requirements*
- (7) Evidence that corrosion control impacts have been reviewed.*
- (8) Evidence that operator is complying with their DIMP plan in accordance with gaining information over time through normal activities conducted on a pipeline (CFR 192.1007(a)(3)).*
- (9) Information sufficient to establish that the operator or its contractor appropriately notified Indiana 811 of the construction.*

(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.5)

SECTION 10. 170 IAC 5-3-2.6 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-2.6 Establishment of MAOP on Distribution System

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2; IC 8-1-22.5

Sec. 2.6. An operator complies with 49 CFR 192.619(a)(4) for existing pipelines less than 100 psi if the operator establishes the MAOP on a section of distribution system pipeline in compliance with Method 5 for establishing MAOP in 49 CFR 192.624(c)(5).

Final Proposed Language: An operator need not comply with 49 CFR 192.624(c)(5)(ii) for distribution pipelines. Pipelines with an MAOP established under 49 CFR 192.624(c)(5) shall be patrolled and surveyed in accordance with 49 CFR 192.721 and 49 CFR 192.723.

IEA members expressed the use of method 5 to establish MAOP. Is 60 LBS the criteria for testing to establish MAOP? Can't get over 60 LBS in systems to achieve a higher pressure test.

IURC Response:

YES! 60 LBS

See Method 5 Pressure Reduction for Pipeline Segments with Small Potential Impact Radius, then follow an uprate procedure to establish new system MAOP.

SECTION 11. 170 IAC 5-3-3 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-3 Acquisition of pipe or components to determine cause of failure

Authority: IC 8-1-1-3; IC 8-1-22.5

Affected: IC 8-1-22.5

Sec. 3. (a) ~~Under IC 8-1-22.5, The division, acting through the commission,~~ may acquire from an operator or person sections of pipe or pipeline components that have failed in operation or test, or of pipeline components similar to the failed component, for the purpose of examination in an effort to determine the cause of the failure.

(b) Prior to the acquisition of the pipe or pipeline components, the specimens shall be positively identified as to:

- (1) the item acquired;
- (2) the date of the incident;
- (3) the date of acquisition;
- (4) the position of the component part in the pipeline system; and
- (5) other pertinent data.

At the time of acquisition, the division shall provide a receipt to the operator or person from whom the pipe or pipeline components are acquired. ~~shall be given a receipt for the same by the division engineer receiving the parts.~~

(c) Upon the acquisition of the pipe or pipeline components, the division shall pursue its examination and tests without delay. Upon the completion of the examinations and tests, the division shall return the components acquired to the operator or person from whom acquired, obtaining a receipt for the same.

(d) As a result of the tests or other investigation, the commission may restrict or limit the use of similar pipeline components until the time that they have been proved to be safe for the specified service. *(Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 3; filed May 12, 1972,*

10:30 a.m.: Rules and Regs. 1973, p. 541; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA)

SECTION 12. 170 IAC 5-3-4 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-4 Reports to the division

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2-114

Sec. 4. (a) **With the exception of a report required under subsection (e)(7),** Each operator shall ~~file~~ **submit** the reports listed in this section ~~with~~ **to** the:

- (1) division; and
- (2) addressee listed in 49 CFR 191.7.
- (b) All accidents and incidents as:
 - (1) defined in this rule; or
 - (2) deemed significant by the operator, including, but not limited to, situations involving:
 - (A) media attention;
 - (B) high profile locations;
 - (C) large evacuations; or
 - (D) the possibility of recurrence;

shall be reported to the division by telephone or electronic submission at the earliest practicable moment following discovery. This notification shall be followed by a written report upon request by the division.

(c) The written report as required in subsection (b) shall be provided within twenty (20) days of the request and shall include, but not be limited to, the following:

- (1) The name of the operator.
- (2) The date and time of the incident.
- (3) A definite location: street address or, if rural, locate definitely (not R.R.), 911 address.
- (4) The number of employees injured requiring inpatient hospitalization or fatalities, or both (name, sex, age, and address).
- (5) The number of nonemployees injured requiring inpatient hospitalization or fatalities, or both (name, sex, age, and address).
- (6) The estimated value of total property damage and a description of the damaged property.
- (7) A description of the accident.
- (8) The location and a description of the operator's plant, including sketches or maps, if necessary, for clarification.
- (9) The condition of the operator's plant as found on inspection.
- (10) The extent of the investigation and findings.
- (11) Unless submitted electronically, the signature of a responsible representative of the operator.

(d) The following are the requirements for interruption of service reports:

- (1) Each operator shall keep a record of interruptions of service affecting:
 - (A) its entire system;

- (B) a major division of its system;
 - (C) one hundred (100) or more customers at once; or
 - (D) when the operator deems the event to be significant.
- (2) The record required in subdivision (1) shall include a statement of the:
 - (A) time;
 - (B) duration;
 - (C) extent; and
 - (D) cause;of the interruption.
- (3) Whenever the service is intentionally interrupted for any purpose, the interruptions shall, except in emergencies, be at a time that will cause the least inconvenience to customers. Those customers who will be most seriously affected by the interruption shall, so far as possible, be notified in advance.
- (4) Whenever the service is interrupted other than intentionally in a major division or community, the operator shall:
 - (A) notify the division by telephone or electronic submission at the earliest practicable moment following discovery and provide the information required in subdivision (2);
 - (B) confirm the information, upon request of the division, by a written report within twenty (20) days of the notification; and
 - (C) provide additional reports requested by the division.
- (e) The following are the reporting requirements:
 - (1) Annual reports, as required by 49 CFR 191.11 and 191.17, shall be ~~filed~~**submitted to** with the division not later than March 15 of each year.
 - (2) Annual reports as required by 49 CFR 195.49 shall be ~~filed with~~**submitted to** the division no later than June 15 of each year.
 - (3) Each operator of a master meter, as defined in 49 CFR 191.3, shall ~~file with~~**submit to** the division, not later than March 15 of each year, a report that shall include the following:
 - (A) The dates of completion for previous year of the:
 - (i) leak survey;
 - (ii) ~~ep~~**cathodic protection** survey; and
 - (iii) valve inspection.
 - (B) The name of the person who completed the inspections on behalf of the operator of a master meter.
 - (C) The number of unrepaired leak reports on January 1 of the preceding year.
 - (D) The number of leak reports received during the preceding year.
 - (E) The number of leaks repaired during the preceding year.
 - (F) The number of unrepaired leak reports at the end of the preceding year.
 - (G) Current information for the individual responsible for the gas system including the following:
 - (i) Name.
 - (ii) Title.
 - (iii) Address.
 - (iv) Phone number.
 - (v) E-mail address.

The information required in this subdivision shall be provided to the division on a form available on the division's website at <http://www.in.gov/iurc/2335.htm>.

These reports shall include all known leak reports regardless of classification, on the respective systems, up to and including the meter outlet.

(4) Each operator shall ~~file with~~ **submit to** the division notification of construction that is significant to the operator, in a manner that facilitates unannounced inspections.

Examples may include:

(A) new construction, replacement, or relocation of a jurisdictional:

(i) gas pipeline facility that is considered transmission by definition under 49 CFR 192.3;

(ii) gas distribution main of a significant footage for a single project, including a cast iron or bare steel replacement project of any length;

(iii) gas purchase point, regardless of number of customers served;

(iv) gas distribution center station that is designed to serve at least one thousand (1,000) customers immediately or in the future; or

(v) hazardous liquid or carbon dioxide facility; or

(B) significant gas service replacement project that encompasses at least twelve (12) city blocks or two hundred fifty (250) services for a single project.

(5) The notification required under subdivision (4) shall include the following:

(A) A description and location of work.

(B) The type of facility.

(C) The estimated start date.

(D) The name and address of the reporting company.

(E) The name, address, and telephone number of person to be contacted concerning the project.

(F) All other significant information concerning the project.

(6) ~~Each~~ **An** operator shall ~~file with~~ **submit to** the division other reports as may be required by the division that are relevant to the safe operation of the operator's system, including the following:

(A) Safety related condition reports as required by 49 CFR 191.25.

(B) Safety related condition reports as required by 49 CFR 195.56.

(7) An operator shall submit to the division a report of damage to its facilities as defined in IC 8-1-26, and as further described in 170 IAC 5-5-2.

(A) It is a violation of this rule for an operator to knowingly submit inaccurate or falsified information to the Division in the initial submission of a damage or follow-up information related to the specific damage.

IEA Questioned why this was added in the code. Are we having issues with inaccurate or falsified information?

IURC Response:

This will remain as written

(B) The operator shall provide the information required by this sub-section on the form provided by Commission.

IEA: Not all operators use the same form

IURC Response:

A new standard form is being developed and all operators will be using this new

form to report damages at a minimum in the future.

(f) The reports as listed and required in this section shall not imply or be considered an admission of liability or responsibility of the operator in connection with the accident or incident so mentioned.

(g) An operator submitting a document to the commission under this rule shall submit the document in accordance with instructions on the commission's website.

(Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 4; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 542; filed Aug 12, 1988, 4:00 p.m.: 12 IR 6; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA)

SECTION 13. 170 IAC 5-3-4.1 IS ADDED TO READ AS FOLLOWS:

170 IAC 5-3-4.1 Enforcement of Violations

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2

Sec. 4.5. (a) If the Division identifies a possible violation of this rule, the division shall provide a written notice of probable violation to the operator and allow the operator an opportunity to respond.

(b) An operator that receives a written notice of probable violation from the division shall respond within the time specified in the written notice. The failure of the operator to respond to the written notice is an additional violation of this rule.

(c) Violations of this rule may be enforced by the division under IC 8-1-22.5 by referring the violations to the commission for investigation and possible civil penalty under IC 8-1-22.5-7 or by filing a petition with the commission requesting a commission determination of the violation and penalty.

(d) When the Division and an operator agree in writing to set of compliance actions, a violation of the agreement is in and of itself a violation of this rule.

(Indiana Utility Regulatory Commission; 170 IAC 5-3-2.2)

SECTION 14. 170 IAC 5-3-5 IS AMENDED TO READ AS FOLLOWS:

170 IAC 5-3-5 Waiver of compliance; application; investigation

Authority: IC 8-1-1-3; IC 8-1-22.5-4

Affected: IC 8-1-2

Sec. 5. (a) An operator may ~~apply to the commission~~ file a petition with the commission, following the procedures in 170 IAC 1-1.1, for authorization to:

(1) construct, install, or use material and equipment that have not been approved; or

(2) waive in whole or in part compliance with a code, standard, or regulation established under this rule.

(b) The commission shall investigate an application made under subsection (a), and, if it determines that the application of waiver of compliance with the code, standard, or regulation is not inconsistent with gas pipeline safety, the commission may grant the waiver after due compliance with the requirements of state statute and the provisions of the Natural Gas Pipeline Safety Act of 1968 and the Hazardous Liquid Pipeline Safety Act of 1979 with regard to the waiver. Authorization will not be granted to install or use materials or equipment that are specifically prohibited by the federal or state regulations. *(Indiana Utility Regulatory Commission; No. 32885: Minimum Safety Standards for Transportation of Gas and Related Pipeline Facilities Rule 5; filed May 12, 1972, 10:30 a.m.: Rules and Regs. 1973, p. 545; readopted filed Jul 11, 2001, 4:30 p.m.: 24 IR 4233; readopted filed Apr 24, 2007, 8:21 a.m.: 20070509-IR-170070147RFA; errata filed Jul 21, 2009, 1:33 p.m.: 20090819-IR-170090571ACA; filed Feb 9, 2010, 9:24 a.m.: 20100310-IR-170090190FRA; filed May 27, 2016, 11:39 a.m.: 20160622-IR-170150424FRA)*